

CHAPTER NO. 378

SENATE BILL NO. 1672

By Clabough, Atchley

Substituted for: House Bill No. 1395

By Baird, McDaniel, Walker

AN ACT To amend Tennessee Code Annotated, Sections 50-5-103, 50-5-109(a), 50-5-111(1)(b), and 50-5-112 relative to the Child Labor Act of 1976.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 50-5-103, is amended by adding the following new sentence at the end of the section:

Any person who violates the provisions of this section commits a Class D felony.

SECTION 2. Tennessee Code Annotated, Section 50-5-109, is amended by deleting the section in its entirety and by substituting instead the following new language:

Before any minor may be employed or continue to be employed in connection with any gainful occupation, the employer shall require proof of the age of the minor employee or prospective employee by requiring the minor to provide the employer with a copy of the minor's birth certificate, passport, driver's license or state issued identification. If such evidence is not available, the parents or guardian shall appear with the minor before the judge or other officer of the juvenile court of the county in which the minor resides and shall make an oath as to the age of the minor.

SECTION 3. Tennessee Code Annotated, Section 50-5-111(1)(B), is amended in the first paragraph by deleting the language "50-5-109(b)" and substituting instead the language "50-5-109".

SECTION 4. Tennessee Code Annotated, Section 50-5-112(a), is amended by deleting the words "Any employer" at the beginning of the first sentence and by substituting instead the language "Except as provided in §50-5-103, any employer" and by deleting the second sentence in its entirety and substituting instead the following language:

Further, at the discretion of the commissioner, the employer shall be subject to a civil penalty of not less than one hundred fifty dollars (\$150) nor more than one thousand dollars (\$1,000) for each instance of an employer's violation of this chapter.

SECTION 5. Tennessee Code Annotated, Section 50-5-112, is amended by adding the following language as a new subsection (f):

(f) Any person who violates the youth peddling provisions of this chapter commits a Class D felony.


SECTION 6. Tennessee Code Annotated, Section 50-5-112, is amended by adding the following as a new subsection (d) and by renumbering the existing subsection (d) as subsection (e) accordingly:

(d) Any person who violates the provisions of Section 50-5-103 shall, at the discretion of the commissioner, be subject to a penalty of not less than one thousand dollars (\$1,000) nor more than ten thousand dollars (\$10,000). Each instance of a minor working in violation of the provisions of Section 50-5-103 shall constitute a separate violation.

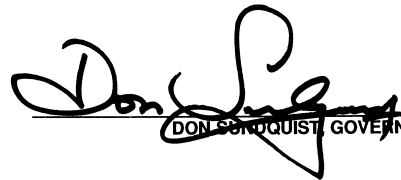
SECTION 7. This act shall take effect July 1, 2001, the public welfare requiring it.

PASSED: June 4, 2001


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 12th day of June 2001


DON SUNDQUIST, GOVERNOR